

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUDGE BERMAN

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

CHRISTIAN TORO and TYLER TORO, :

Defendants. :

- - - - - x

COUNT ONE  
(Conspiracy)

INDICTMENT

**18 CRIM 218**

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: MAR 15 2018

The Grand Jury charges:

1. From at least in or about October 2017 up to and including in or about February 2018, in the Southern District of New York and elsewhere, CHRISTIAN TORO and TYLER TORO, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, the making of firearms, in violation of Title 26, United States Code, Sections 5822, 5861(f), and 5871, and the possession of unregistered firearms, in violation of Title 26, United States Code, Sections 5861(d) and 5871.

2. It was a part and an object of the conspiracy that CHRISTIAN TORO and TYLER TORO, the defendants, and others known and unknown, would and did knowingly make firearms, as defined in Title 26, United States Code, Sections 5845(a)(8) and

5845(f)(3), without having taken the steps set forth in subsections (a) through (e) of Title 26, United States Code, Section 5822, in violation of Title 26, United States Code, Sections 5822, 5861(f), and 5871.

3. It was further a part and an object of the conspiracy that CHRISTIAN TORO and TYLER TORO, the defendants, and others known and unknown, would and did knowingly possess firearms, as defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(3), which were not registered to them in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(d) and 5871.

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed and caused to be committed in the Southern District of New York and elsewhere:

a. Between in or about October 2017 and in or about February 2018, CHRISTIAN TORO, the defendant, instructed individuals to remove explosive powder from containers of fireworks.

b. In or about February 2018, CHRISTIAN TORO and TYLER TORO, the defendants, stored explosive powder in a closet in a bedroom at their residence in the Bronx, New York.

(Title 18, United States Code, Section 371.)

**COUNT TWO**

(Unlawful Manufacture of a Destructive Device)

The Grand Jury further charges:

5. From at least in or about October 2017 up to and including in or about February 2018, in the Southern District of New York and elsewhere, CHRISTIAN TORO and TYLER TORO, the defendants, knowingly made firearms, as defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(3), without having taken the steps set forth in subsections (a) through (e) of Title 26, United States Code, Section 5822, and aided and abetted the same, to wit, CHRISTIAN TORO and TYLER TORO manufactured and altered, and aided and abetted the manufacturing and altering of, destructive devices at their residence in the Bronx, New York.

(Title 26, United States Code, Sections 5822, 5861(f), and 5871;  
Title 18, United States Code, Section 2.)

**COUNT THREE**

(Unlawful Possession of a Destructive Device)

The Grand Jury further charges:

6. From at least in or about October 2017 up to and including in or about February 2018, in the Southern District of

New York and elsewhere, CHRISTIAN TORO and TYLER TORO, the defendants, knowingly possessed firearms, as defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f)(3), which were not registered to them in the National Firearms Registration and Transfer Record, to wit, CHRISTIAN TORO and TYLER TORO possessed destructive devices at their residence in the Bronx, New York, which devices were not registered to them. (Title 26, United States Code, Sections 5861(d) and 5871.)

**COUNT FOUR**

(Distribution of Explosive Materials to a Minor)

The Grand Jury further charges:

7. From at least in or about October 2017 up to and including in or about January 2018, in the Southern District of New York and elsewhere, CHRISTIAN TORO, the defendant, knowingly distributed, and aided and abetted the distribution of, explosive materials to an individual under twenty-one years of age, to wit, CHRISTIAN TORO provided explosive powder to two individuals in the Bronx, New York, who were under twenty-one years of age.

(Title 18, United States Code, Sections 842(d)(1), 844(a)(1), and 2.)

**FORFEITURE ALLEGATION**

8. As a result of committing the offenses alleged in Counts One, Two, and Three of this Indictment, CHRISTIAN TORO and TYLER TORO, the defendants, shall forfeit to the United

States, pursuant to Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461, any and all firearms involved in said offenses.

9. As a result of committing the offense alleged in Count Four of this Indictment, CHRISTIAN TORO, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 844(c) and 982(a)(2)(B), and Title 28, United States Code, Section 2461, (i) any and all explosive materials involved or used or intended to be used in said offense, and (ii) any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said offense, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

**Substitute Assets Provision**

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;


(c) has been placed beyond the jurisdiction of the Court;


(d) has been substantially diminished in value;

or

(e) has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 844 and 982;  
Title 21, United States Code, Section 853;  
Title 26, United States Code, Section 5872; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
GEOFFREY S. BERMAN  
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

18 Cr.

(18 U.S.C. §§ 371, 842(d)(1), 844(a)(1),  
and 2; 26 U.S.C. §§ 5822, 5861(d),  
5861(f), and 5871.)

GEOFFREY S. BERMAN

United States Attorney.

A TRUE BILL



Foreperson.

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3/15/17 Filed Indictment

Judge Nathan

